IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5199 OF 2018

Mr. Ashish Mehta ... Petitioner
V/s.
State of Maharashtra & Ors. ... Respondents

Ms. sumedha Rao i/b. Ms. Rumana Bugadi for Petitioner.
Shri. A. I. Patel, Addl. G. P. a/w Shri. K. S. Thorat, AGP.
Mr. Vedchetan Patil a/w. Mr. Vishwa Gadbile Patil for Respondent No.4.
Mr. Avinash Koshi, Respondent No.2 present in Court.
Mr. Vijaykumar Shivaji Mind, Respondent No.3 present in Court.

CORAM : K. R. SHRIRAM &
FIRDOSH P. POONIWALLA, JJ.
DATE : 22nd JUNE 2023.

P. C.:-

1. Further to our order dated 15th June 2023, Respondent Nos.2 and 3 namely Mr. Avinash Bajirao Koshti and Mr. Vijaykumar Shivaji Mind are present in Court and are identified by Mr. Patel. Both Respondent Nos.2 and 3 have filed two affidavits, both affirmed on 22nd June, 2023. In the affidavits both have explained the reason for their absence in Court on 15th June, 2023.

2. In the second affidavit filed, both Respondent Nos.2 and 3 have given an undertaking to enter the names of all the persons within the

period given in Paragraph Nos.3, 4 and 5 of the affidavits which read as under:-

> *"3. I say that there are about 40 agreements including one agreement of the Petitioner. I say that I have placed before this Hon'ble Court Mutation Entry record in the name of the Petitioner and his wife. However, other 39 agreements are concerned, I respectfully submit that I shall enter name of 36 persons from the list appearing as Exhibit-A to the present Writ Petition, excluding Sr. Nos.26, 27, 28 and 2 plots in respect of Sr. No. 15.*
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> *4. I say that the Mutation Entry No.525 is to record the name of erstwhile owner Smt. Kalpana Rajesh Deshpande is mutated on 19.06.2023 in respect of plot of land bearing Gat No.17/3/4. I shall take said Mutation Entries in the name of said 4 plots at Sr. Nos.26, 27 and 28. The said can be entered after notice period of 15 days is over of Mutation Entry No.525.*
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> *5. I say that so far as remaining 35 persons named in the list, their name shall be recorded by taking Mutation Entry by Monday i.e. 26.06.2023."*

3. In view of this undertaking given, we dispose the Petition.

4. Petition disposed.

5. Liberty to apply.

(FIRDOSH P. POONIWALLA., J.) **(K. R. SHRIRAM, J.)**